

**AFFIDAVIT OF MICHAEL D. BRINTON**

I am employed at Walker Digital Management, LLC as a patent paralegal.

On March 23, 2004, I prepared and sent via certified, return receipt mail to Victor M. Garcia at what was then his last known address: 315 Willow Street, New Haven, CT 06511, a package containing the following documents: 1) Cover letter 2) Copy of Application with Formal Drawings; 3) Combined Declaration and Power of Attorney; 4) Assignment; and 5) Self addressed stamped envelope for return to me. The cover letter included instructions to sign certain documents and return the same to me. The cover letter also included my telephone number, should he require assistance. The cover letter further stated that should Applicants not hear from Victor M. Garcia by April 23, 2004, Applicants would construe his conduct as a refusal to sign and proceed with filing the Declaration and Assignment attesting that Victor M. Garcia refused to sign these papers. Victor M. Garcia did not return any of these documents to me, nor did he contact me in any way.

On April 26, 2004, I called and left a detailed telephone message for Victor M. Garcia at his last known home telephone number of (203) 624-3536. In my message, I requested that Victor call me to follow up regarding the status of his signature on the Declaration and Assignment mailed to his home on March 23, 2004. I provided my telephone number in this message. Victor M. Garcia did not return my call.

On May 3, 2004 I called Victor M. Garcia at his last known home telephone number of (203) 624-3536. Victor M. Garcia answered the telephone. I inquired about the status of the documents mailed to his home on March 23, 2004. Victor M. Garcia indicated to me that he is unwilling to sign the documents mailed to his home on March 23, 2004. Additionally, he indicated that he is unwilling to cooperate in signing any documents pertaining to Walker Digital in the future.



Michael D. Brinton
May 27 2004

Subscribed and Sworn to before me, a Notary Public, in and for County of Glastonbury,
and State of Connecticut, this 27th day of
May, 2004
Not S. Cheever
Notary Public
My Commission Expires Aug. 31, 2007